

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMNEAL PHARMACEUTICALS LLC,  
PAR PHARMACEUTICAL, INC., and WOCKHARDT BIO AG,  
Petitioners,

v.

JAZZ PHARMACEUTICALS, INC.,  
Patent Owner.

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Case IPR2015-0547<sup>1</sup>  
Patent 7,765,107

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**PETITIONERS PAR PHARMACEUTICAL, INC.’S  
AND AMNEAL PHARMACEUTICALS LLC’S RESPONSE  
TO PATENT OWNER’S NOTICE REGARDING NEW  
ARGUMENTS AND EVIDENCE IN PETITIONERS’ REPLY**

***Mail Stop “PATENT BOARD”***  
Patent Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

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<sup>1</sup> Case IPR2015-01820 has also been joined with this proceeding.

Pursuant to the Board's March 3, 2016 e-mail, Petitioners Par Pharmaceutical, Inc. and Amneal Pharmaceuticals LLC identify the following portions of Patent Owner's Response (Paper No. 46) to which the arguments and evidence that Patent Owner Jazz Pharmaceuticals, Inc. identified in its March 10, 2016 Notice (Paper No. 52) respond:

1. The arguments and evidence Jazz identified in Paragraph 1 of its Notice respond to the arguments in Patent Owner's Response starting on page 9, after subheading (c), through page 11, line 9; including Jazz's argument that: "the redactions in Ex. 1004 do not evidence public accessibility before the critical date" (page 10); and "Petitioners ignore that the Briefing Booklet is addressed to a limited Advisory Committee panel that was responsible for reviewing the Xyrem drug application for FDA approval." (page 10).

2. The arguments and evidence Jazz identified in Paragraph 2 of its notice respond to arguments in Patent Owner's response starting on page 10, line 8, through page 11, line 9; including Jazz's argument that: "Petitioners ignore that the Briefing Booklet is addressed to a limited Advisory Committee panel that was responsible for reviewing the Xyrem drug application for FDA approval." (page 10). Further, the evidence to which Jazz refers was provided with the Petition. *See* Paper No. 2.

3. The arguments and evidence Jazz identified in Paragraph 3 of its notice respond to arguments in Patent Owner's response starting on page 5, line 1 (under subheading (a)) through line 13; including Jazz's argument that: "[t]he dates on the documents do not establish public accessibility before the critical date" (page 5). Further, the evidence Jazz refers to was provided with the Petition. *See* Paper No. 1 at 15; *see also* Paper No. 2.

Respectfully Submitted,

Date: March 17, 2016



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Matthew C. Ruedy (Reg. No. 64,823)  
Maddox Edwards, P.L.L.C.  
1900 K Street NW – Suite 725  
Washington, D.C. 20006  
(202) 830-0779  
mruedy@meiplaw.com

*Attorney for Petitioners Amneal  
Pharmaceuticals LLC and Par  
Pharmaceutical, Inc.*

**CERTIFICATION OF SERVICE (37 C.F.R. §§ 42.6(e))**

The undersigned hereby certifies that the above-captioned “Petitioners Par Pharmaceutical, Inc.’s and Amneal Pharmaceuticals LLC’s Response to Patent Owner’s Notice Regarding New Arguments and Evidence in Petitioners’ Reply,” was served in its entirety on March 17, 2016, upon the following parties via e-mail:

F. Dominic Cerrito  
nickcerrito@quinnemanuel.com

Eric C. Stops  
ericstops@quinnemanuel.com

Evangeline Shih  
evangelineshah@quinnemanuel.com

Frank Calvosa  
frankcalvosa@quinnemanuel.com

QUINN EMANUEL URQUHART &  
SULLIVAN LLP  
51 Madison Avenue  
22nd Floor  
New York, NY 10010

Counsel for Patent Owner Jazz Pharmaceuticals, Inc.

Patrick C. Gallagher  
PCGallagher@duanemorris.com  
DUANE MORRIS LLP  
190 South LaSalle Street, Suite 3700  
Chicago, IL 60603-3433

Counsel for Petitioner Wockhardt Bio AG

John V. Biernacki  
jvbiernacki@jonesday.com

JONES DAY  
North Point  
901 Lakeside Avenue  
Cleveland, OH 44114

Jordana Garallek  
JGarallek@duanemorris.com  
DUANE MORRIS LLP  
1540 Broadway  
New York, NY 10036-4086

***IPR2015-00547  
Patent No. 7,765,107  
Certificate of Service***

Date: March 17, 2016



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Matthew C. Ruedy (Reg. No. 64,823)  
Maddox Edwards, P.L.L.C.  
1900 K Street NW – Suite 725  
Washington, D.C. 20006  
(202) 830-0779  
mruedy@meiplaw.com

*Attorney for Petitioners Amneal  
Pharmaceuticals LLC and Par  
Pharmaceutical, Inc.*